

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 07-00014 JW
	)	
Plaintiff,	)	<b>[PROPOSED] ORDER REFERRING</b>
	)	<b>DEFENDANT BUREAU OF PRISONS</b>
v.	)	<b>FOR MENTAL EVALUATION</b>
	)	<b>PURSUANT TO 18 U.S.C. §§ 4241</b>
GUSTAVO RAMIREZ-TORRES,	)	<b>AND 4247</b>
	)	
Defendant.	)	
	)	

Defendant, Gustavo Ramirez-Torres, appeared before the Court on May 14, 2007, at which time defense counsel declared a doubt regarding the defendant's competence to proceed. Probation Officer Lori Timmons, who has met with the defendant, concurred that the defendant's competence is in question.

Accordingly, pursuant to 18 U.S.C. §§ 4241 (a) and (b), the Court HEREBY ORDERS that the defendant be designated to a suitable medical facility within the Bureau of Prisons, to be evaluated with respect to his competence. The Court further orders that a report be prepared and filed with the Court pursuant to 18 U.S.C. §§ 4247 (b) and (c).

A further status hearing is set in this matter for July 23, 2007.

IT IS FURTHER ORDERED THAT the period of time from May 14, 2007, to July 23,

1 2007, shall be excluded from the period of time within which trial must commence under the  
2 Speedy Trial Act, 18 U.S.C. § 3161 et seq, because time is needed for the defendant's mental  
3 examination.

4 Dated: June 1, 2007

  
JAMES WARE  
United States District Judge